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BROOKLYN OFFICE

January 30, 2006

The Honorable John Gleeson  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

*Sentence adjourned  
to April 28, 2006  
@ 2:00 PM  
in the Eastern District*

Re: United States v. Robert Stewart  
Docket No. 05-CR-442 (JG) (CP)

s/John Gleeson

Dear Judge Gleeson:

**JOHN GLEESON  
UNITED STATES DISTRICT JUDGE**

I write to request that Your Honor adjourn the sentencing proceeding for Robert Stewart, which is currently scheduled for February 3. I make this request for several reasons.

First, I represent a defendant in Elmaghraby, et al. v. Ashcroft, et al., E.D.N.Y. Civil Docket No. 04-1809 (JG) (JMA). Magistrate Judge Gold has ruled that even the defendants who are appealing Your Honor's partial denial of their motions to dismiss in that case (my client is among those appealing) must participate in the depositions of plaintiffs who are being paroled into the United States or lose the opportunity to do.<sup>1</sup> In addition, the plaintiffs in the Elmaghraby case have identified the plaintiffs in Turkmen et al. v. Ashcroft et al., E.D.N.Y. Docket No. 02-CV-2307 (JG) (SMG), as potential witnesses, and vice versa. As a result, my staff and I have had to review and to catalog the voluminous discovery that has been produced in both cases in order to prepare for the depositions of both the Elmaghraby and Turkmen plaintiffs. Moreover, the depositions themselves began last week and will continue into next week, and Magistrate Judge Gold's ruling that the defendants are entitled

<sup>1</sup> Magistrate Judge Gold ruled that, in the alternative, any defendant wishing to depose these individuals would have to travel to the individuals' respective native countries to do so.

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to take 8½ hours of testimony each day has required continuation of the depositions well into several evenings.

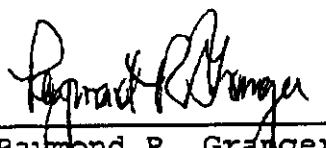
Second, the United States Court of Appeals for the Second Circuit has directed that the appeals of all defendants in the Elmaghraby case must be perfected in late February, and I thus am also working on my client's appeal in that case.

Third, I received Mr. Stewart's presentence report on January 19, and my responsibilities in the Elmaghraby case have prevented me from discussing the report with Mr. Stewart and preparing objections.

Accordingly, I respectfully request that Mr. Stewart's sentencing be adjourned for sixty days in order to allow me additional time to prepare objections to the presentence report and possibly other submissions on behalf of Mr. Stewart. I have discussed this matter with AUSA Steven Breslow, and he has advised me that the government does not object to this request.

Thank you for your consideration of this request.

Very truly yours,

  
Raymond R. Granger

cc: AUSA Steven Breslow  
United States Attorney's Office  
for the Eastern District of New York  
147 Pierrepont Street  
Brooklyn, New York 11201

Mr. Robert Stewart

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**Date:** January 31, 2006

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**Comments:**

Hi Eva,

I spoke with you earlier today and obtained permission to fax a courtesy copy of the attached letter to Judge Gleeson, which was filed yesterday via ECF.

Have a great day,  
Carolyn Horan

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